

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

LAWRENCE VAN RILEY,

Defendant and Appellant.

C073922

(Super. Ct. No. CM038023)

On January 17, 2013, officers conducting a postrelease community supervision search of defendant Lawrence Van Riley's residence found 6.3 grams of methamphetamine, \$1,200 in cash, Ziploc baggies, a syringe containing 25 cc's of methamphetamine, and other drug paraphernalia.

Defendant pleaded no contest to possession of methamphetamine for sale. (Health & Saf. Code, § 11378.) Pursuant to the plea agreement, a prior strike allegation was dismissed with a *Harvey* waiver. (*People v. Harvey* (1979) 25 Cal.3d 754.) The trial

court sentenced defendant to three years in state prison, imposed various fines and fees, and awarded 156 days' presentence credit (78 actual and 78 conduct).

Defendant appeals. He did not obtain a certificate of probable cause.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

RAYE, P. J.

We concur:

NICHOLSON, J.

HOCH, J.